

2003 DRAFTING REQUEST**Assembly Substitute Amendment (ASA-AB575)**Received: **01/23/2004**Received By: **phurley**Wanted: **As time permits**

Identical to LRB:

For: **Sheldon Wasserman (608) 266-7671**

By/Representing:

This file may be shown to any legislator: **NO**Drafter: **phurley**

May Contact:

Addl. Drafters:

Subject: **Transportation - driver licenses**

Extra Copies:

Submit via email: **YES**Requester's email: **Rep.Wasserman@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Elderly drivers

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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/1	phurley 01/23/2004	kfollett 01/23/2004	rschluet 01/23/2004	_____	sbasford 01/23/2004	sbasford 01/23/2004	
/2	phurley 01/23/2004	kfollett 01/23/2004	jfrantze 01/23/2004	_____	mbarman 01/23/2004	mbarman 01/23/2004	

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Page 1

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Page 1

2003 DRAFTING REQUEST**Senate Substitute Amendment (SSA-AB575)**Received: **01/23/2004**Received By: **phurley**Wanted: **As time permits**

Identical to LRB:

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By/Representing:

This file may be shown to any legislator: **NO**Drafter: **phurley**

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Addl. Drafters:

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Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Elderly drivers

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/1	phurley 01/23/2004	kfollett 01/23/2004	rschluet 01/23/2004	_____	sbasford 01/23/2004	sbasford 01/23/2004	

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Identical to LRB:

For: **Sheldon Wasserman (608) 266-7671**

By/Representing:

This file may be shown to any legislator: **NO**Drafter: **phurley**

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Addl. Drafters:

Subject: **Transportation - driver licenses**

Extra Copies:

Submit via email: **YES**Requester's email: **Rep.Wasserman@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given


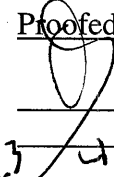
Topic:

Elderly drivers

Instructions:

See Attached

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Hurley, Peggy

From: Osterberg, Sarah
Sent: Wednesday, January 14, 2004 1:51 PM
To: Hurley, Peggy
Subject: ab 575 changes

Hi, Peggy,

Per my phone call, here are the changes to AB 575. The language on the report and council modeled after Florida's law are yet to be determined (I'm waiting to hear feedback from DMV). Everything else is set, so please start working on the sub. I need to have this done by the end of the week, so I'll get the final stuff to you as soon as I can. Also feel free to contact John Alley at DMV with any questions on current policy as it relates to the bill.

Thanks,
Sarah

1. ✓ Keep the license renewal period at 8 years (to help save on administrative license processing costs), BUT those between 75 and 84 would have to come in every three years for a vision test, or submit the results from an eye doctor's examination.
2. ✓ Those 85 and over will come in every two years for a written knowledge test and take a vision test.
3. ✓ If a person fails to appear or submit required documentation, the license will be canceled according to current DOT policy. The bill will not change DOT's current abilities to require more tests such as a road test. It will also leave intact the department's authority to retest, to issue restricted licenses and to require special equipment, etc.
- (4) A provision providing for a council study modeled after the Florida law will be added to the legislation, as well as a required report from DOT on the effects of the changes (time frame and specifics yet to be determined).
- 5 The moving violation component would be removed from the bill. The requirement relating to drivers of all ages paying for every on-road skills test they take (instead of the current "every three") would be retained.
- (6) Additional funding provisions may need to be devised depending on DMV's cost estimates.

7. effective date: 1st day of 10th month

Hurley, Peggy

From: Osterberg, Sarah
Sent: Friday, January 23, 2004 9:26 AM
To: Hurley, Peggy
Subject: URGENT: final older driver bill section

The department shall issue a report on the effects of this act on highway safety including the impact on the affected age group's crash rates, violation rates, loss of driving privileges, and related issues. No later than five years from the effective date of this act, the department shall submit the report to the legislature.

The department shall appoint an advisory council to study the effects of aging on driving ability, identify exiting transportation alternatives throughout the state and examine additional transportation alternatives for older drivers. Members of the council shall be comprised of representatives of organizations involved with issues facing older drivers, including but not limited to medical professionals, senior citizen advocacy groups, providers of services to senior citizens, and research entities. The department shall submit the study to the legislature no later than two years from the effective date of this act.

ASSEMBLY BILL 575

or her driving skills before his or her license may be renewed. Under the bill, most drivers are charged \$15 for each driving skills test that he or she takes.

The bill also changes, and increases, the renewal fees for drivers over the age of 75 so that the fees are paid on a "per year" basis to reflect the shortened duration of the license and the increased costs of issuing each license.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 343.16 (3) (a) of the statutes is amended to read:

2 343.16 (3) (a) ~~The~~ Except as provided in s. 343.20 (1) (b) ^{par (am)} the department shall
3 examine every applicant for the renewal of an operator's license once every 8 years.
4 The department may institute a method of selecting the date of renewal so that such
5 examination shall be required for each applicant for renewal of a license to gain a
6 uniform rate of examinations. The examination shall consist of a test of eyesight.
7 The department shall make provisions for giving such examinations at examining
8 stations in each county to all applicants for an operator's license. The person to be
9 examined shall appear at the examining station nearest the person's place of
10 residence or at such time and place as the department designates in answer to an
11 applicant's request. In lieu of examination, the applicant may present or mail to the
12 department a report of examination of the applicant's eyesight by an
13 ophthalmologist, optometrist or physician licensed to practice medicine. The report
14 shall be based on an examination made not more than 3 months prior to the date it
15 is submitted. The report shall be on a form furnished and in the form required by
16 the department. The department shall decide whether, in each case, the eyesight
17 reported is sufficient to meet the current eyesight standards.

18 **SECTION 2.** 343.20 (1) (a) of the statutes is amended to read:

2003 ASSEMBLY BILL 575

October 15, 2003 - Introduced by Representatives WASSERMAN, HINES, AINSWORTH, GUNDERSON, JESKEWITZ, KRUG, F. LASEE, SHILLING, TAYLOR, TOWNS, ZEPNICK and STONE, cosponsored by Senator ROBSON. Referred to Committee on Transportation.

1 **AN ACT** *to amend* 343.16 (3) (a), 343.20 (1) (a), 343.21 (1) (am), 343.21 (1) (d) and
2 343.21 (2) (a); and *to create* 343.20 (1) (bm) of the statutes; **relating to:**
3 operator's license renewals for certain drivers and fees for certain driving skills
4 tests.

Analysis by the Legislative Reference Bureau

Under current law, a person who applies for a new driver's license must, under most circumstances, demonstrate his or her knowledge of the rules of the road and his or her driving skills in a test administered by the Department of Transportation (DOT). Most drivers' licenses issued by DOT must be renewed every eight years. To renew a license to drive an automobile or a motorcycle, an applicant must pass a test of his or her eyesight. Current law allows the secretary of DOT to require any person to submit to additional testing to determine incompetency, incapacity, disease, or impairment that may prevent the person from exercising reasonable and ordinary control over a motor vehicle. Under current law, most drivers pay \$15 to take up to three driving skills tests.

Under this bill, the driver's license of a person at least 75 but less than 95 years of age expires every two years and the person must demonstrate his or her knowledge of traffic laws to renew the license. The license of a person who is over the age of 95 expires every year and the person must pass a test of his or her eyesight and demonstrate his or her driving skills to renew the license. Additionally, a driver who is at least 75 years of age and who commits a moving violation must demonstrate his

ASSEMBLY BILL 575

1 ~~343.20 (1) (a) Except as provided in par. (bm) and except as otherwise expressly~~
2 ~~provided in this chapter, reinstated licenses, probationary licenses issued under s.~~
3 ~~343.085 and original licenses other than instruction permits shall expire 2 years~~
4 ~~from the date of the applicant's next birthday. All other licenses and license~~
5 ~~endorsements shall expire 8 years after the date of issuance. The department may~~
6 ~~institute any system of initial license issuance which it deems advisable for the~~
7 ~~purpose of gaining a uniform rate of renewals. In order to put such a system into~~
8 ~~operation, the department may issue licenses which are valid for any period less than~~
9 ~~the ordinary effective period of such license. If the department issues a license that~~
10 ~~is valid for less than the ordinary effective period as authorized by this paragraph,~~
11 ~~the fees due under s. 343.21 (1) (a), (b) and (d) shall be prorated accordingly.~~

12 ~~SECTION 3. 343.20 (1) (bm)~~ of the statutes is created to read: *343.16(3)(am)*

13 343.20 (1) (bm) A license that the department issues to a person who is at least
14 75 years of age but less than ⁸⁵~~95~~ years of age shall expire 2 years from the date of
15 issuance and may be renewed upon administration by the department, and
16 satisfactory completion by the driver, of a knowledge test that meets the requirement
17 of s. 343.16 (1). A license that the department issues to a person who is at least 95
18 years of age shall expire one year from the date of issuance and may be renewed upon
19 administration of a vision test that meets the requirements of s. 343.16 (3) and a
20 driving skills test and a knowledge test that meet the requirements of s. 343.16 (1).
21 A person who is at least 75 years of age and who commits a moving violation, specified
22 by the department by rule, resulting in conviction may renew his or her license upon
23 demonstrating his or her driving skills by completing a test that meets the
24 requirements of s. 343.16 (1).

25 SECTION 4. 343.21 (1) (am) of the statutes is amended to read:

ASSEMBLY BILL 575

1 ~~343.21 (1) (am) For the renewal of a license authorizing only the operation of~~
2 ~~“Class D” motor vehicles, \$24, except that for a license that is renewed under s.~~
3 ~~343.20 (1) (bm) \$5 shall be paid for each year of the new renewal period.~~

4 **SECTION 5.** 343.21 (1) (d) of the statutes is amended to read:

5 343.21 (1) (d) For the initial issuance or renewal of authorization to operate
6 “Class A”, “Class B” or “Class C” motor vehicles, or upgrading an existing regular
7 license which only authorizes the operation of “Class D” motor vehicles, \$64, except
8 that for a license that is renewed under s. 343.20 (1) (bm) \$10 shall be paid for each
9 year of the new renewal period. This fee includes issuance of any “H”, “N”, “P”, “S”
10 or “T” endorsements or “Class D” authorization applied for at the same time for which
11 the applicant is qualified.

12 **SECTION 6.** 343.21 (2) (a) of the statutes is amended to read:

13 343.21 (2) (a) In addition to the fees set under sub. (1), any applicant whose
14 application for a permit, license, upgrade or endorsement, taken together with the
15 applicant’s currently valid license, if any, requires the department to administer a
16 driving skills test of the applicant’s ability to exercise ordinary and reasonable
17 control in the operation of a motor vehicle shall pay to the department an
18 examination fee of \$20 for an examination in a commercial motor vehicle other than
19 a school bus and \$15 for an examination in any other vehicle. ~~Payment of the~~
20 ~~examination fee entitles the applicant to not more than 3 tests of the applicant’s~~
21 ~~ability to exercise reasonable control in the operation of a motor vehicle. If the~~
22 ~~applicant does not qualify for issuance of a license, upgraded license or endorsement~~
23 ~~in 3 such tests, then a 2nd examination fee in the same amount shall be paid, which~~
24 ~~payment entitles the applicant to not more than 3 additional tests.~~

25 **SECTION 7. Initial applicability.**

ASSEMBLY BILL 575

(1) This act first applies to applications for an original license or a renewal submitted on the first day of the 7th month beginning after publication.

(END)

**SENATE SUBSTITUTE AMENDMENT ,
TO 2003 ASSEMBLY BILL 575**

today
1-23-04

Gen

requirements

and fees for
certain drivers
tests

1 AN ACT ...; relating to: operator's license renewals for certain drivers

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 SECTION 1. 343.16 (3) (a) of the statutes is amended to read:

3 343.16 (3) (a) The Except as provided in par. (am), the department shall
4 examine every applicant for the renewal of an operator's license once every 8 years
5 and shall examine every person who holds an operator's license and is who is at least
6 75 years of age but less than 85 years of age once every ³ years. The department
7 may institute a method of selecting the date of renewal so that such examination
8 shall be required for each applicant for renewal of a license to gain a uniform rate
9 of examinations. The examination shall consist of a test of eyesight. The department
10 shall make provisions for giving such examinations at examining stations in each
11 county to all applicants for an operator's license. The person to be examined shall
1 appear at the examining station nearest the person's place of residence or at such

time and place as the department designates in answer to an applicant's request. In lieu of examination, the applicant may present or mail to the department a report of examination of the applicant's eyesight by an ophthalmologist, optometrist or physician licensed to practice medicine. The report shall be based on an examination made not more than 3 months prior to the date it is submitted. The report shall be on a form furnished and in the form required by the department. The department shall decide whether, in each case, the eyesight reported is sufficient to meet the current eyesight standards.

History: 1971 c. 164 s. 83; 1973 c. 90, 176; 1975 c. 36, 199; 1977 c. 29 ss. 1456, 1654 (7) (a), (c); 1977 c. 273, 418; 1979 c. 34 ss. 1067m, 2102 (52) (a); 1979 c. 221, 345; 1981 c. 20; 1983 a. 74, 243, 534, 538; 1985 a. 65, 337; 1987 a. 3, 40, 215; 1989 a. 31, 105, 359; 1991 a. 21, 32, 39, 316; 1993 a. 16, 19, 183, 399; 1995 a. 27 s. 9145 (1); 1995 a. 113, 195, 448; 1997 a. 27, 84, 237; 1999 a. 32, 140; 2001 a. 105; 2003 a. 33.

SECTION 2. 343.16 (3) (am) of the statutes is created to read:

343.16 (3) (am) The department shall examine every person who holds and operator's license and who is at least 85 years of age every ² ~~two~~ years. The department may institute a method of selecting the date of renewal so that such examination shall be required for each applicant for renewal of a license to gain a uniform rate of examinations. The examination shall consist of a test of eyesight that meets the requirements of par. (a) and a knowledge test that meets the requirements of sub. (1).

SECTION 3. 343.21 (2) (a) of the statutes is amended to read:

343.21 (2) (a) In addition to the fees set under sub. (1), any applicant whose application for a permit, license, upgrade or endorsement, taken together with the applicant's currently valid license, if any, requires the department to administer a driving skills test of the applicant's ability to exercise ordinary and reasonable control in the operation of a motor vehicle shall pay to the department an examination fee of \$20 for an examination in a commercial motor vehicle other than a school bus and \$15 for an examination in any other vehicle. ~~Payment of the~~

~~examination fee entitles the applicant to not more than 3 tests of the applicant's ability to exercise reasonable control in the operation of a motor vehicle. If the applicant does not qualify for issuance of a license, upgraded license or endorsement in 3 such tests, then a 2nd examination fee in the same amount shall be paid, which payment entitles the applicant to not more than 3 additional tests.~~

History: 1973 c. 90, 309; 1975 c. 5; 1977 c. 29 ss. 1459, 1654 (7) (a); 1977 c. 273; 1979 c. 221, 306; 1981 c. 20, 71; 1983 a. 243; 1985 a. 29, 65; 1987 a. 3, 358; 1989 a. 105; 1991 a. 39; 1993 a. 16; 1995 a. 113; 1997 a. 27; 1999 a. 9. ✓

SECTION 4. 343.25 (7) of the statutes is amended to read:

343.25 (7) When a person who has been ordered or is required by s. 343.16 (3) (a) [✓] or (am) [✓] to submit to an examination under s. 343.16 or to appear for either group or individual counseling or examination under s. 343.32 (2) fails or refuses to do so. Such cancellation shall continue until compliance with the order has been made or the order is rescinded.

History: 1975 c. 5, 199; 1977 c. 29 s. 1654 (7) (c); 1989 a. 105, 359.

SECTION 5. Nonstatutory provisions.

(1) The department ^{of transportation} shall issue a report on the effects of this act on highway safety including the impact on the affected age group's crash rates, violation rates, loss of driving privileges, and related issues. No later than 5 years from the effective date of this subsection, the department shall submit the report to the legislature.

(2) The department ^{of transportation} shall appoint an advisory council to study the effects of aging and driving ability, identify existing transportation alternatives throughout the state and examine additional transportation alternatives for older drivers. Members of the council shall be comprised of representatives of organizations involved with issues facing older drivers, providers of services to senior citizens, and research entities. No later than ² ~~two~~ years after the effective date of this subsection, the department shall submit the study to the legislature.

SECTION 6. Initial applicability.

2 (1) This act first applies to persons who submit an application for an original
3 license or a renewal on the first day of the 10th month beginning after publication.

4 **SECTION 7. Effective date.**

5 (1) The treatment of sections 343.16 (3) (a), 343.16 (3) (am), 343.21 (2) (a), and
6 343.25 (7) of the statutes takes effect on the first day of the 10th month beginning
7 after publication.

8 (END)

Now

ASSEMBLY SUBSTITUTE AMENDMENT ,
TO 2003 ASSEMBLY BILL 575

Rege

1 AN ACT *to amend* 343.16 (3) (a), 343.21 (2) (a) and 343.25 (7); and *to create*
2 343.16 (3) (am) of the statutes; **relating to:** operator's license requirements for
3 certain drivers and for certain driver's tests.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

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7 and shall examine every person who holds an operator's license and who is at least
8 75 years of age but less than 85 years of age once every 3 years. The department may
9 institute a method of selecting the date of renewal so that such examination shall be
10 required for each applicant for renewal of a license to gain a uniform rate of
11 examinations. The examination shall consist of a test of eyesight. The department
12 shall make provisions for giving such examinations at examining stations in each

1 county to all applicants for an operator's license. The person to be examined shall
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6 physician licensed to practice medicine. The report shall be based on an examination
7 made not more than 3 months prior to the date it is submitted. The report shall be
8 on a form furnished and in the form required by the department. The department
9 shall decide whether, in each case, the eyesight reported is sufficient to meet the
10 current eyesight standards.

11 **SECTION 2.** 343.16 (3) (am) of the statutes is created to read:

12 343.16 (3) (am) The department shall examine every person who holds an
13 operator's license and who is at least 85 years of age every 2 years. The department
14 may institute a method of selecting the date of renewal so that such examination
15 shall be required for each applicant for renewal of a license to gain a uniform rate
16 of examinations. The examination shall consist of a test of eyesight that meets the
17 requirements of par. (a) and a knowledge test that meets the requirements of sub.
18 (1).

19 **SECTION 3.** 343.21 (2) (a) of the statutes is amended to read:

20 343.21 (2) (a) In addition to the fees set under sub. (1), any applicant whose
21 application for a permit, license, upgrade or endorsement, taken together with the
22 applicant's currently valid license, if any, requires the department to administer a
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8 343.25 (7) When a person who has been ordered or is required by s. 343.16 (3)
9 (a) or (am) to submit to an examination under s. 343.16 or to appear for either group
10 or individual counseling or examination under s. 343.32 (2) fails or refuses to do so.
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14 (1) The department of transportation shall issue a report on the effects of this
15 act on highway safety including the impact on the affected age group's crash rates,
16 violation rates, loss of driving privileges, and related issues. No later than 5 years
17 from the effective date of this subsection, the department shall submit the report to
18 the legislature.

19 (2) The department of transportation shall appoint an advisory council to study
20 the effects of aging and driving ability, identify existing transportation alternatives
21 throughout the state and examine additional transportation alternatives for older
22 drivers. Members of the council shall be comprised of representatives of
23 organizations involved with issues facing older drivers, providers of services to
24 senior citizens, and research entities. No later than 2 years after the effective date
25 of this subsection, the department shall submit the study to the legislature.

SECTION 6. Initial applicability.

(1) This act first applies to persons who submit an application for an original license or a renewal on the first day of the 10th month beginning after publication.

SECTION 7. Effective date.

(1) The treatment of sections 343.16 (3) (a), 343.16 (3) (am), 343.21 (2) (a), and 343.25 (7) of the statutes takes effect on the first day of the 10th month beginning after publication.

(END)